UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,114	03/30/2004	Stacey R. Rowlan	50847.00105	6573

23619   7590   09/28/2007
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EXAMINER
WILSON, YOLANDA L

ART UNIT	PAPER NUMBER
2113	

MAIL DATE	DELIVERY MODE
09/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/815,114	ROWLAN ET AL.
	Examiner	Art Unit	
	Yolanda L. Wilson	2113	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 July 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-5 and 10-14_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-5 and 10-14_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-5,10-13 are rejected under 35 U.S.C. 102(e) as being anticipated by

Prabhu (USPN 6983398B2) in view of Arimilli et al. (US Publication Number

20040111653A1). As per claims 1,5, Prabhu discloses performing the first self test

process in response to a first actuation of a test control; performing the second self test

process in response to a second actuation of the test control prior to lapse of a first

predefined period of time; and terminating the second self test process in response to a

third actuation of the test control by the user of the system, wherein the third actuation is

maintained for more than a second predetermined period of time in column 3, lines 22-

27 and in column 5, line 64 – column 6, line 32.

Prabhu fails to explicitly state a user of the system initiate the test control in order

to perform the first self test process.

Arimilli et al. discloses this limitation in paragraph 0117.

Prabhu discloses a processor executing a program for testing itself. Arimilli et al.

discloses self testing of processor during manufacturing of the processor that is 'initiated

by the user, the operating system, or the hypervisor'. It would have been obvious to one

of ordinary skill in the art to have the self testing of the processor in Prabhu initiated by a user initiating the self testing as disclosed in Arimilli et al. Using the known technique of user initiated testing would have been obvious to one of ordinary skill.

3.   As per claims 2,11 Prabhu discloses wherein the test control provides a one-bit binary signal having an actuated state and a non-actuated state in column 5, line 64 – column 6, line 32.

4.   As per claims 3,12, Prabhu discloses further comprising advancing a presentation of test information in response to a fourth actuation of the test control by the user of the system during performance of the second self test process, wherein the fourth actuation is maintained for less than the second predefined period of time in column 5, lines 29-58.

5.   As per claim 4, Prabhu discloses wherein the first self test process performs legacy functions of the system and the second self test process performs extended functions of the system in column 5, line 64 – column 6, line 32.

6.   As per claim 10, Prabhu discloses a first processor that performs a first self test process in response to a first actuation of a provided test control by a user of the system; and a second processor that performs the second self test process in response to a second actuation of the test control prior to lapse of a first predefined period of time and terminates the second self test process in response to a third actuation of the test control, wherein the third actuation is maintained for more than a second predetermined period of time in column 3, lines 22-27 and in column 5, line 64 – column 6, line 32.

Prabhu fails to explicitly state a user of the system initiate the test control in order to perform the first self test process.

Arimilli et al. discloses this limitation in paragraph 0117.

Prabhu discloses a processor executing a program for testing itself. Arimilli et al. discloses self testing of processor during manufacturing of the processor that is 'initiated by the user, the operating system, or the hypervisor'. It would have been obvious to one of ordinary skill in the art to have the self testing of the processor in Prabhu initiated by a user initiating the self testing as disclosed in Arimilli et al. Using the known technique of user initiated testing would have been obvious to one of ordinary skill.

7.   As per claim 13, Prabhu discloses wherein the first processor further performs legacy functions of the system in column 5, line 64 – column 6, line 32.

8.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Prabhu in view of Arimilli et al. in further view of Tran (US Publication Number 20060273929A1). As per claim 14, Prabhu and Arimilli et al.. fail to explicitly state wherein the first processor performs a traffic collision avoidance function and the second processor performs a terrain collision avoidance function.

Tran discloses this limitation on pages 1-2, paragraph 0009.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the first processor perform a traffic collision avoidance function and the second processor perform a terrain collision avoidance function. A person of ordinary skill in the art would have been motivated to have the first processor perform a traffic collision avoidance function and the second processor

perform a terrain collision avoidance function because traffic collision avoidance and terrain collision avoidance are types of applications used to prevent collisions in specific devices.

Response to Arguments

9.   Applicant's arguments with respect to the rejection(s) of claim(s) 1-5,10-14 under 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Prabhu and Arimilli et al. KSR reasoning is given for the rejection of the independent rejection. Please see the rejection disclosed above.

Conclusion

10.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
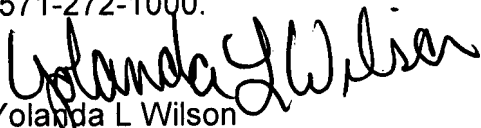
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda L. Wilson whose telephone number is (571) 272-3653. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yolanda L Wilson
Primary Examiner
Art Unit 2113